

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

DONALD AND HERMINE SMITH,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. G-04-594
	§	
TEXAS FARMERS INSURANCE	§	
COMPANY,	§	
	§	
Defendant.	§	
	§	

ORDER GRANTING DEFENDANT’S MOTION TO QUASH JURY DEMAND

On July 1, 2005, Defendant Texas Farmers Insurance Company filed a Motion to Quash Jury Demand. According to L.R. 7.3, opposed motions will be submitted to the judge 20 days from filing. The Local Rules clearly state that if a response has not been filed by the submission day, this will be taken as a representation of no opposition. *See* L.R. 7.4. The submission day for this Motion was July 21, 2005. As of today, August 1, 2005, Plaintiffs have not filed a response.


The Court regularly grants motions to extend the response time for good cause when parties file such motions in a timely manner. If Plaintiffs encountered some difficulty in filing a timely and complete response, they certainly could have filed such a motion. However, Plaintiffs filed no such motion.

Therefore, in accordance with L.R. 7.4, the Court considers the Motion unopposed, and the Motion to Quash Jury Demand is hereby **GRANTED**. The Court admonishes Plaintiffs’ counsel

to pay attention to the deadlines established by the Local Rules, and also to extend professional courtesy to the Court by notifying the Court of non-opposition to a motion, if that is the case, to help the Court continue to resolve cases in a timely manner. Each Party is to bear its own taxable costs, expenses, and attorney's fees incurred herein to date.

IT IS SO ORDERED.

DONE this 1st day of August, 2005 at Galveston, Texas.



Samuel B. Kent
United States District Judge